Staff Summary Report



Council Meeting Date: 12/12/02 Agenda Item Number: 47

q-j

SUBJECT: This is the first public hearing for Weinerschnitzel Hot Dog Restaurant for an Amended

General Plan of Development for University & McClintock Crossing and Final Plan of Development for Parcel 2 Phase 3 with a use permit located at 804 South McClintock

Drive.

DOCUMENT NAME: 20021212dsrh07

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: PLANNED DEVELOPMENT (0406) Hold the first public hearing for

WIENERSCHNITZEL HOT DOG RESTAURANT (James Foster, property owner) #SGF-2002.82 for a 3rd Amended General Plan of Development for University & McClintock Crossing consisting of 31,991 s.f., on 4.86 net acres, and a Final Plan of Development for Parcel 2 Phase 3, Wienerschnitzel Hot Dog Restaurant consisting of 2,880 s.f. on .87 net acres and a use permit, located at 804 South McClintock Drive.

including the following:

Use Permit:

Allow outdoor dining in the PCC-1 Zoning District.

PREPARED BY: DeeDee (D²) Kimbrell, Planner II (480-350-8438)

REVIEWED BY: Steve Venker, Planning & Zoning Manager (480-350-8920)

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval

Planning Commission – Approval (6-0 vote)

Public - None to date

ADDITIONAL INFO: The four parcel commercial center is currently housing McDonald's restaurant and 7-

Eleven convenience store with gas pumps. With the proposed development of Wienerschnitzel Hot Dog Restaurant on parcel 2, one last parcel within this center

remains vacant.

The General Plan of Development designates this site for a drive-through restaurant or retail land use. This proposal appears to be consistent with previously recorded development plans, both in land use and site plan. Therefore, staff supports this request

subject to conditions. To date, no public input has been received.

ATTACHMENTS: 1.

- 1. List of Attachments
- 2. History & Facts
- 3-4. Description / Comments / Reason(s) for Approval
- 5-6. Conditions of Approval
- A. Location Map
- B. Amended General and Final Plan of Development
- C. Final Plan of Development
- D. Floor Plan
- E. Elevations
- F. Conceptual Landscape Plan
- G. Letter of Explanation/Intent
- H. Previously Approved Plan (12/18/97)

HISTORY & FACTS:

This site was annexed into the City from the County as Rl-6. Rezoning of this parcel from January 28, 1958. Rl-6 to industrial predates City's record keeping. Design Review Board approved the Commons Apartments for building elevations, site and May 15, 1996. landscape plan, subject to conditions. City Council approved a General Plan 2000 Amendment, Resolution No. 96.22, from Mixed June 6, 1996. Use to Residential on 22.25 net acres and from Mixed Use to Retail on 4.87 net acres. June 6, 1996. City Council approved a zoning change, Ordinance No. 808.9605, from I-2 General Industrial District to R-3 Multi-family Residential on 22.25 net acres and to PCC-1 Planned Commercial Center on 4.87 net acres. City Council approved a Site Plan for Jefferson Commons Apartments consisting of 288 June 6, 1996. units on 22.25 net acres including four variances. June 6, 1996. City Council approved a General Plan of Development for Jefferson Commons Shopping Center (now University & McClintock Crossing) consisting of 4.87 net acres including a Use Permit for a convenience store with gasoline pumps and two variances. City Council approved a one-year time extension of condition #5 for Jefferson Common March 27, 1997. apartments and for the commercial center (Now University and McClintock Crossings). December 18, 1997. City Council approved an Amended General Plan of Development for University & McClintock Crossing Commercial Center and a Final Plan of Development for Phase I (Parcel 1) and Phase II (Parcel 3), including 2 variances. April 30, 1998. City Council approved a Final Subdivision Plat consisting of 4 parcels, subject to 5 conditions. March 18, 1999. Council approved an Amended General and Final Plan of Development for a one-story 22,140 s.f. retail/restaurant building at McClintock Crossings located at the SWC of University and McClintock. (Plan was not recorded) June 8, 2000. City Council approved the request by McClintock Crossing for re-approval of an Amended General & Final Plan of Development for Parcel 4 consisting of 2,250 s.f. of restaurant and 19,890 s.f. of retail on 2.15 net acres located at 1775 East University Drive. (Plan was not recorded) Planning Commission approved the request by Wienerschnitzel for a 3rd Amended General November 12, 2002. Plan of Development for University & McClintock Crossing and a Final Plan of Development for Wienerschnitzel Hot Dog Restaurant consisting of 2,880 s.f. building including a use permit for a 600 s.f. outdoor dining patio on their consent agenda by a 6-0 vote.

DESCRIPTION: Owner – James Foster (Parcel 2 Phase 3)

Applicant – Sender Associates, Darin Sender Architect - Architekton, Douglas Brown Attorney – Sender Associates, Darin Sender

Existing zoning – PCC-1

University & McClintock Crossing - Amended General Plan of Development

Total site area – 4.86 net acres

Total bldg. area -31,991 s.f.

Bldg. Coverage – 15%

Landscape coverage - 39%

Total parking required – 188 spaces

Total parking provided – 206 spaces

Total bicycle parking required – 35 spaces

Total bicycle parking provided – 37 spaces

Parcel 1: (Phase 1) 7-11 Convenience store w/ gas pumps

Site area -1.15 net acres

Bldg. area (including canopy) -7,232 s.f.

Bldg. coverage – 14.39%

Landscape coverage - 38%

Parking required- 13 spaces

Parking provided – 13 spaces

Bicycle parking required – 8 spaces

Bicycle parking provided – 8 spaces

Parcel 2 (Phase 3) Wienerschnitzel Restaurant

Site area – .87 net acres

Bldg. area -2,880 s.f.

Bldg. coverage – 8%

Landscape coverage – 18%

Parking required – 42 spaces

Parking provided – 44 spaces

Bicycle parking required – 6 spaces

Bicycle parking provided – 6 spaces

Parcel 3 (Phase 2) McDonald's

Site area -.70 net acres

Bldg. area -3,150 s.f.

Bldg. coverage - 10.3%

Landscape coverage – 26%

Parking required – 42 spaces

Parking provided – 42 spaces

Bicycle parking required – 6 spaces

Bicycle parking provided – 8 spaces

Parcel 4 (Phase 4) Retail/restaurant shops

Site area -2.15 net acres Bldg. area -22,825 s.f. Bldg. coverage – 24% Landscape coverage – 51% Parking required – 91 spaces Parking provided – 107 spaces Bicycle parking required – 15 spaces Bicycle parking provided – 15 spaces

COMMENTS: The applicant is requesting a 3rd Amended General Plan of Development for University & McClintock Crossing and a Final Plan of Development for Wienerschnitzel Hot Dog Restaurant consisting of 2,880 s.f. building with a drive-thru lane in one of the remaining parcels within the center. Also included with this request is a use permit for a 600 s.f. outdoor dining patio. The four parcel commercial center is currently housing McDonald's restaurant and 7-Eleven convenience store with gas pumps. With the proposed development of Wienerschnitzel Hot Dog Restaurant on parcel 2, one last parcel within this center remains vacant.

> This Wienerschnitzel restaurant will serve many different varieties of hot dogs and polish dogs, among other items, and will also offer breakfast and dessert choices. Proposed business hours are 7:00 a.m. to 2:00 a.m., Monday through Saturday, and 9:00 a.m. to 2:00 a.m. Sunday with the possibly of offering a 24 (twenty-four) hour operation in the future.

> Also requested with this Final Plan of Development is a freestanding tenant identification sign in lieu of the freestanding center identification sign otherwise required in the PCC-1 Zoning District.

> The General Plan of Development designates this site for a drive-through restaurant or retail land use. This proposal appears to be consistent with previously recorded development plans, both in land use and site plan. The overall lot coverage and building size has been reduced from a 3,600 s.f. building to a 2,880 s.f. building with a 600 s.f. outdoor dining patio and as single drive-through lane. This use should not attract traffic in excess of that anticipated for this type of project. All buildings will be required to maintain architectural compatibility throughout the site plan. Therefore, staff supports this request subject to conditions. To date, no public input has been received.

REASON(S) FOR

APPROVAL: 1. The proposed Amended General Plan of Development for University & McClintock Crossing and the Final Plan of Development for Weinerschnitzel Hot Dog Restaurant appear to be consistent with previously recorded development plans.

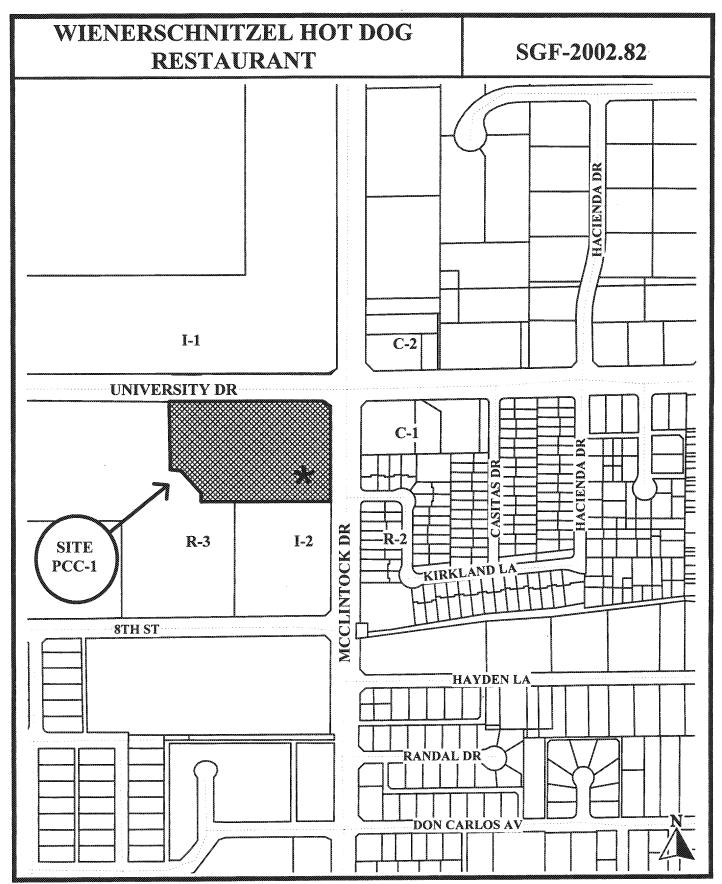
> 2. The proposed Amended General Plan of Development for University & McClintock Crossing and the Final Plan of Development for Weinerschnitzel Hot Dog Restaurant appear to function efficiently and should not create any detrimental effects to the adjacent properties/neighbors.

CONDITION(S) OF APPROVAL:

- 1. a. The Public Works Department shall approve all roadway, alley, and utility easement dedications, driveways, storm water retention, and street drainage plans, water and sewer construction drawings, refuse pickup, and off-site improvements.
 - b. Off-site improvements to bring roadways to current standards include:
 - (1) Water lines and fire hydrants
 - (2) Sewer lines
 - (3) Storm drains.
 - (4) Roadway improvements including streetlights, curb, gutter, bikepath, sidewalk, bus shelter, and related amenities.
 - c. Fees to be paid with the development of this project include:
 - (1) Water and sewer development fees.
 - (2) Water and/or sewer participation charges.
 - (3) Inspection and testing fees.
 - d. All applicable off-site plans shall be approved prior to recordation of Final Subdivision Plat.
- 2. a. All street dedications shall be made within six (6) months of Council approval.
 - b. Public improvements must be installed prior to the issuance of any occupancy permits. Any phasing shall be approved by the Public Works Department.
 - c. All new and existing, as well as on-site and off-site, utility lines (other than transmission lines) shall be placed underground prior to the issuance of an occupancy permit for this (re)development in accordance with the Code of the City of Tempe Section 25.120.
- 3. The applicant/owner(s) shall provide a continuing care condition, covenant and restriction for all of the project's landscaping, required by Ordinance or located in any common area on site. The CC&R's shall be in a form satisfactory to the Development Services Director and City Attorney.
- 4. No variances may be created by future property lines without the prior approval of the City of Tempe.
- 5. A valid building permit shall be obtained and substantial construction commenced on or before December 19, 2003 or the use permit shall be deemed null and void.
- 6. The Amended General Plan of Development for University & McClintock Crossing and the Final Plan of Development for Weinerschnitzel Hot Dog Restaurant shall be put into proper engineered format with appropriate signature blanks and recorded with the Maricopa County Recorder's Office through the City of Tempe's Development Services Department on or before December 19, 2003. Failure to record the plan within one year of Council approval shall make the plan null and void.

- 7. The Amended General Plan of Development for University & McClintock Crossing and the Final Plan of Development for Weinerschnitzel Hot Dog Restaurant shall be recorded prior to the issuance of permits, and shall show cross access to be maintained throughout this site over the driving aisles. No changes or modifications to the driving aisles will be allowed without the prior approval of the Engineering Department.
- 8. The applicant/owner shall comply with all applicable state and federal laws regarding archeological artifacts on this site.
- 9. The use permit is non-transferable and is issued to the owner(s) of Wienerschnitzel Hot Dog Restaurant, James Foster only.
- 10. Any intensification or expansion of the use shall require the applicant to return to the City Council for further review.
- 11. The applicant/owner shall resolve all lighting and security details with the Planning and Crime Prevention Staff prior to the issuance of a building permit.
- 12. This proposal shall be approved by the Design Review Board.
- 13. The applicant/owner shall pave the driveway along the west property line of Parcel 2 Phase 3 and extend the pavement to the east to meet the existing temporary asphalt.





Location Map



















DEVELOPMENT FOR UNIVERSITY & McCLINTOCK CROSSING FINAL PLAN OF DEVELOPMENT FOR PARCEL 2, PHASE 3 AMENDED GENERAL AND FINAL PLAN OF

A PORTION OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA (WIENERSCHNITZEL RESTAURANT)

		1	A	
LEGAL DESCRIPTION	DEVELOPMENT PROGRAM		USE PERMIT AND VARIANCES	PER
LEGAL DÉREMPTION - PARCEL 1	ORESDAY, DEVELOPEDE	STANDARD SOC. BY PHINANCE DATESTICE AND SECURIOR AS	PROPOSED LISE PENINE/WANNOE REDUCTED	DONGTO: LANDSCAFE JAMES W. FOSTER & ASSOC.
Preporty as autrospect.	10000000	AND M. 4417 St., SHIP, SS., FRANCIS, AND SECONDARY, AND SECONDARY, AND SECONDARY, AND SECONDARY, SE	anolding pother	
That position of the Merikecost sporter (no. 1/4) of backes 23, knewady 1 thank, range 4, East of the City and Sol River bese	-	TEAPT, ANTONA	in item of freestending	
and coartdon, bortcopa County, Antenta, made perfecularly assections on falloce:	ZOMEND	1-32-		
Beginning of the Northwast carner (nex) at rook enrillen 22, thonce	OCCUPANCY SPOUP	6-2 BUSHESS		
Harth Retail 90" Wash elang the Herth Rea of seld Modizional queries (no 1/4), a deterno of 850.13 foot; thereo South	SITE AREA(CRICES):	±212,632 SF(±4,06 ACRES)	USA PARROCCI. Abor a 4,500 a.f. commodance stem with gas pumps no pad a fr the past-1	FALL SELECTION OF THE PROPERTY BASES OF THE
COUNTY that a defende of 33,130 tent to a poort at the Southerty right—of—reay the of University Orino; thereto South		31,801 2.F. (3,136 3.F. + 2,880 2.F. +3,150 2.F.		
		215K (31,981 KF_(312,422)		
	PARTICULAR PROVIDED:	12,023 55. (#50%) 214 SPAZS 210 SPAZS	dang McCintect and University. Proper profession of property and bolteses and orders/pare feedby	ANG N. 7579 ST. SLIZE 100 SCUTTSDALE, SPRUHA 55251
		TORS SOCIETY	and remainder of cardon.	TEL: 420.070.0862 Fal:-060.970.394
OCS1700" Earl electe soid Wooderly right-of-only the a statement of 28-30 feet	PARCEL 1 - PHASE 1		And the north 27 mg	CONTACT: YOU MUTHER S
is a point on the Seutharty right-of-only like at University Winns; there is March 19705'50. What along sold Shatkocky right-of-only line.	SITE AVEA(NET):	30,250 S.F. (21.15 ACRES)	the Assessed Stem of Development and Dool Stem of Boothermond for	ON A OFFICE OF CAMPER
a dictorice of 224.85 foot to the free point of Deginday.	BURLDOOG AREA	3,136 2.6.	Percel 1, Phase 1, (7-Electra) and Pointal 3, Phases 2, (McGardolf of University	OF STREET OF CHARGO
This pared enviolent 1.15 acres or 30,250 equera foot.	CANDPT:	7.23 S.C.	end Nethoboot Lineamy. Verfensee	
	BUNDARD CONSTRAINE	214-38% (7,239 S.F./98,236 S.F.)	 Randous mobilinum required side good roof yord softwar from 60 to 10 tot consents these addressed to Malti-family (9-3) to the Seed cod Industried (1-2). 	THE IS TO CANIDY WE HAVE REPORTED INCO PLAN AND PRINCIPLE OF WAY, THE REPUBLICATION AS SHOWN.
	PARKING RED'S:	13 SPACES (3,138 8,6,7280)	00000	SHOWED THES DAY OF
thermarks I Merdy, reargo 4. East of the gibt and soil that bases and marketon marketon equals, referred soon particularly described	PARKING PROMOCO.	7,232 55,720 S.f26	2. Walter the empired 6 bandwages strip for Percel 1 along the South and	OWNER, JAMES W. STRIER
do felterat.	PARCEL 2 - PMSE 3			£
Sequenting of the Northcass carear (rec) of exist section 2% thorns		37,000 S.C. (4,87 A2855)	CCSE IND. 64-590227	WASSER FESTER
though (NECOTATION Wheel along the Month line of and Martinobel neutron (Ne 1/6), a distance of 852.13 feet, themas South		2,520 S.F.		
(1075) (20) Wood is distance of 25,00 feet to in point on the	SULPRING CONTRACE.	2000	a) Variance to hearness the mouthness observable also ears for an individual	ACKNOWLEDGEMENT
SECOLOG Enel, others sould Southarty right-of-way tim, in detartion		42 SPACES (2,860,715) +(4) CAFERE SEAREST	b) Variances to instructua the mondernam education teligible flow this parker porfiless of	
then to a point on the Brantary right -cd -way the of McChildock		2,880 \$5,72% \$.F.~ 12 SPACES	e earwice eletten identification/prins citys from the (2) feel in 0.03 red in habitity	STATE OF AREDINA S.S.
Christ thouse South Off 31 DD West, stong earls Westerly point of philad-of-may San, a stolemen of 183.89 heet to the true point of		12 2003	e) Variances to extra extractibing unity on two (2) freedmenting transet	COUNTY OF WINCOON
- Burkeye	PARCEL 3 - PHASE 2		d) Variance to effor on individual tensor of a cooter/ownplex (ve (1)	ON OF 3601, 8057008
	SATE AND APPLY	±30,547 SF. (±.70 ACMS)	theostopoiding tenterial blandflootifiers diginal in bardenia to edition the edition frontings for	NE. THE UNIGREGIOSD. APPENDED WHO ACMEDITIES HEISTLY TO WE THE OBJECT, THE ALTHOUGHESTER
April - of - may but, a defende of 100.04 tool, underso hards D0'54'10"	BUR DING CONCINCE	£10.7K	South McClintock Drive and East Unborridy Orbe.	TO DO SO, DISCUSSION THE PURESCHAF BISTRIANENT FOR THE PURPOSES THEIRING CONTAMED.
~~~	PANKING REGID:	42 SP4223 (3.130 S.F./73)	000 M	
	BICYCLE PASKING REGTS: 3	42 SPACES A150 S.F./230 S.F.» 13 SPACES	and the same of th	IN WINEESS THEREDY, I KINE HERELATE SET MY HOSE AND GETICAL SEAL.
	SAGOS A. PHARE		o) Workerter to other a threatenating tenest intentitization ofto in the PCL'-1	
LEGAL RESCREPTION - PARCEL S	on the party	50000	Zealing District.  N. Verdenze in Secretain the constituent effects by the error for a freeddistricted.	WY COMPASSION DIPROFF.
Englandy so exmercial	Table March (March)		moone booms ogn fram 20 e.f. to 42.32 e.f.	
That parties of the declineds suggesting 1/70 or control A., Leaning I thank the send Soft New house	Corticoles, 9LDC.	35035	construction for a treastereday grown board algo.	. Character
and mortdan, Markongo County, Artzona, moro particularly steamthed on follows:		72,625 SJ.	<ol> <li>Varience to burnesse the meathrest attention orgin oral there on p.i. to 199 p.f</li> </ol>	ELACADACE COM ACA
The configuration for the contract of the cont	SUBJERED CONFUECTO	24X (32,225 S.J. (63,026 S.F.)		S. APPROVING OF COMBINE HIS ENVIRENCE PLAN RECURSED PRIOR TO PLATFICE
Bengalianty of the manipulation pariety from North Was of bold	PARKING RED'D:	81 SPGCTS(22, 825/220)		PARTICINATION
Menthecod quarter (no 1/4), a detentia of 052.73 foot; thoras Seeds ports to West a datance of 59.00 foot in a point on the	MCNUL PASCING REGIE	22,825 8.F./258 S.F92 SPACES	MUNICIPAL APPROVALS	2. SECURE CONFIGURATION NAMES AN OSSIN AND OT NO. COLLEGE. INC. CORPORT OF MICHAEL STATES OF MICHAEL S
Seatharty right of any time of uncontenty throat, trained covers (85.05) East, chang soid acatherty right-of-enty line, a distincts			CHARGE SOUTH SO AND SER SO MANAGE AND AND ASSESSMENT THE AS AN ADDRESS.	
of \$13.30 feet to the free point of beginning.			Those have not	
These South 00731'00" Wark a distance of 219.00 bank thanse South 86:05'30" (sed. a distance of 139.78 leaf, thence library				
DCTS4'10" East, a distance of 219.96 foot to a paint on seld Saudhath right-of-may fine at University Drive; Sternes seeds			Sr. DATE:	
BSTASSAC Year, about paid right-of-way, a distance of 138.86. Issae to the true paid of breaching.				
This ported contions 0.70 cores or 20,547 reports find main or			ATTEST. CITY CLEAN	
LEGAL DESCRIPTION - PARCICI, 4	MOLT & CITY COST	- E-	å	
polinion to several		THE PERSON NAMED IN THE PE	CHY ENBARTA	
their parties of the formation of the fig. of the Six of Six of the City of Six	ACCEPTATE ON DES	RESIDENCE CAL DESCRIPTION THE STATE IN TARGOLA, THAT THE LIZAR ACCORDANCE IN THE STATE OF THE SAME OF	BY.	
described as tobarra:	THE MONTH OF THE THE	AND THE BY HANDERS AND WELKE, THAT THE	DEVELOPMENT SERVICES MANNEYS	HO SALADO
Beginning at the Perthensi comm (next) of ancibon 23; Shotta	BOUNDARY MONUMENTS	SHOWN ACTUALLY DIST AS SHOWN AND AND THE SLEWEY TO BE RETRACED.		
questro (on 1/4), o deduction of 052.13 fort; thereto South				3/
Southerdy right-of-copy fine at the University Orbes, cold point other below. Let two independ of preference.	Or Constitution	100000000000000000000000000000000000000		
Theses Study S6725'50" (ast, obers seld Sauthorly Stu, o	CONDITIONS	CONDITIONS OF APPROVAL		SITE
Gaiseaco el 213 30 fout; thence South Off 21 CO Real o defermed	Core No. 593-98.42			SAMU SOI
138,78 too; therewas North 03'30'10' Each, o distance of 14.00 forth there there are the 00'05'10' forth o delence of 18.34 forth	Preference and That Su	Preferency and that Subdivision Plet University and BicCodenick Dreading.		
thouse South ODDA'TO Week, a distance of 167,84 feet, thereto warned the season of the season that the season of the season that the season th				2000
90729'40' (car, a delasta of 35.00 feet; themse Harth 40'16'09" 90st, a distance of 118.07 feet; thence Marth 80'09'00' Year, a				Olive
delence of 15.00 foot; thorces North DES-100" East, a determe of 201.01 feet to the line print of bogissing.				APACHE BLVD. LOOP 101
The percel contribus 2.15 seros or 63,835 square feet from or less.				

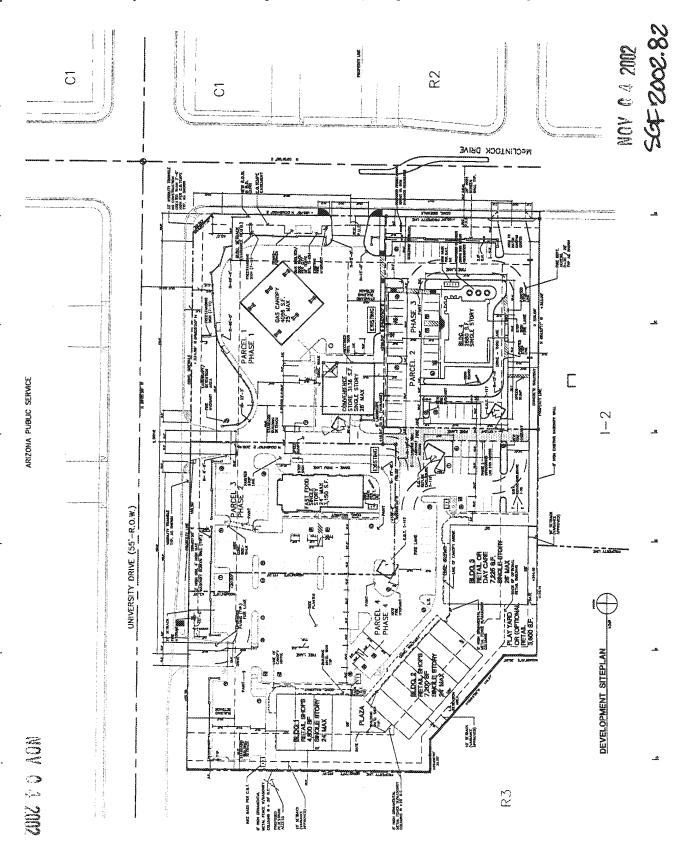


195. de la companient d

# MENERSCHNITZEL

UNIVERSITY & MCCLINTOCK
TEMPE, ARIZONA







C./1083/Disc. C./1083/Disc. Foto Date Co.20 20 Foto Pin BOOK

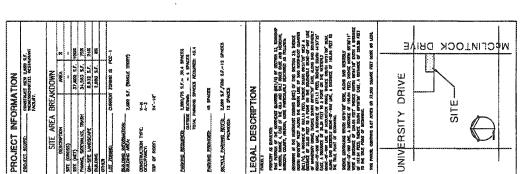


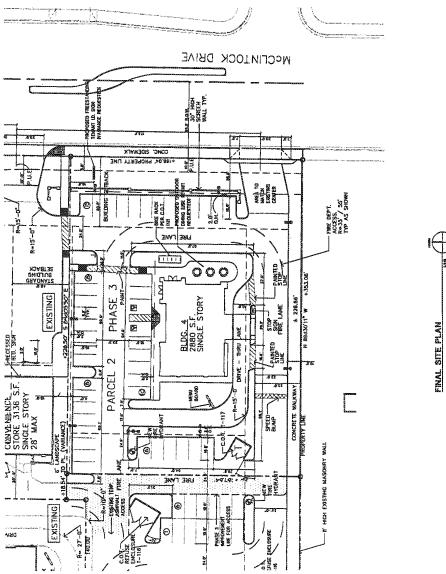




8









7

SSF-2002.82 MOV OF 2002

02147 7 - 5 FLOORPLAN









4. BISTAL C.C.Y.N. SECURENY SYSTEM AND WASHLED BY OMCOR. CENERAL NOTES

SOF-2002.82 NOV 0 4 2002

NOTE CHARK-BAS TO SE HISTALER DPRACE 1-81 200 SW8 -- NOTE ENTROPETY EVET ENG.Y W/ALATER υū 9 ZZ CAPACE RW. 8 8 8 DOME WAS COMMUNICATION
THE SAME THE PARTY STATES OF ELSE.
STRONG LONG HENALED OF G..
STRONG LONG HENALED OF G..
WO NETWALD FOR G..
LOCATE FER ARCHITECT'S STE FLAME SWITT A-14. SPENCES POST, GROUND LOOP WETALLED BY CC. SEE PRICEITURAL SIE PLAN FOR EXACT LUCATOR. WENNE COMBO PRENEW BOARD SEE ANCHECTURAL SHE PLAN FOR EXACT LOCATION. RELATION OF SHOOM DRIPAN RELATED ON ROOF WAX.-H. THETEEN RESOUT METHO. HOTE: DRING-TION COMMINECATIONS SYSTEM, SUPPLIED & BISTALED ST FEE, VENDY WITH GO SPECIFICATIONS. LANCE ERRYC - THERE HEREN BOWEN A MEINU SCHI SLAPPLED BY FIE, SENGLALE BY CC. SEE ANCHETTURM, STE PLAN FOR CANCH LICKNESS. DRINE - THRU CTAIN. STSTEM TO DE SUPPLIED MED HISTALLED RY F.E.S.C. SAML PRIVATE BOARD, SEE ARCHIECTURA, SHE PI FOR EACH LICATOR. SHE ARCHIECTURAL DRAWING FOR SPICES.









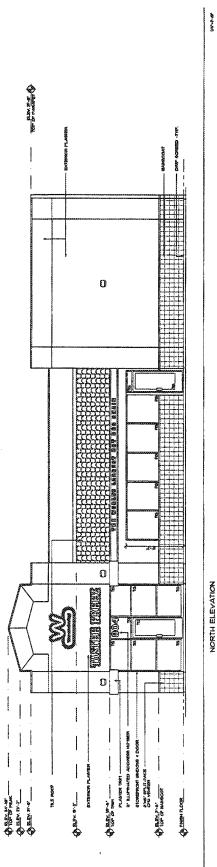


MOTE: PROPOSED SICHAGE TO BE ADDRESSED WITH DESCH MENEY BOWIN SAWNTFAL.



MOV 0.4 2002





MENERSCHNITZEL CUSTON C-91 FRANCHISEE: RIN FOSTER

EBSCHNILSE

į

UNIVERSITY & MCCLINTOCK TEMPE, ARIZONA

Sec. 35.958 TOP OF GARACOT O TOURIDAY (PRINTERS ह्यी 0 U EAST ELEVATION The roce The roce can to hatch the roop STIR' BPLIT-PACE CPU VENERR O BEN B. O. CO CO THE



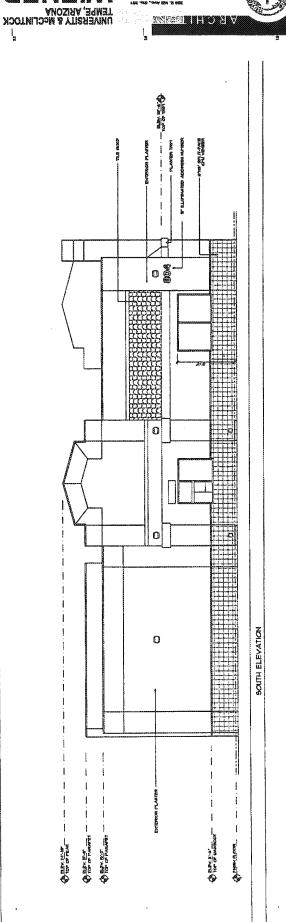


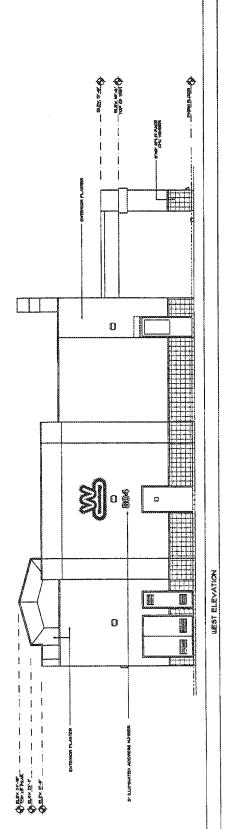






NOV 0.4. 2002 SOF 2002.82





MEBSCHNILSET



EKSCHNILZE l_g T.J. McGUSER & ASSOCIATES, 180c.
LANDSONE ACCURATION
1121 COST MANAGEM TO THE PROPRIES, AND THE PROPRI DOUBLE STAKING DETAIL 3. 4° EANSH 4. GRADH A. BRADHEN SKIRE OF PLANT PLT 10. PREVENT BLAZING 6. AGRIFORM TARLETS BACACPELL PLANT PIT HETH SOR, HER HOTED IN SPECS. SHRUB PLANTING DETAIL **@ @** TREE GUYING DETAIL I. Yerraha direrason for 3 dal. Plants
2. Folker
3. Folker
4. Folker
4. Aggregation in ref. 50
Ratio BACKFRILL FLANT PYT WITH SCR. HEX KOTED IN SPECS. all Landrapar andas well be top-drensed with a 2" distry of decomposed Grante. all plant baterial with in the city of teape scaft distance tranoles wal be relected from the teape approved bosht distance transleistest The entire Bite wal be martabled in accordance with terfe standar all paptons lot fencers will recent 115 gallon troe and 8 is gallon spruss per spale row of papton. IREES WILL BE PLACED AS TO HOT INTERPERE WITH PARKONG LOT LIGHTS NO CLEANDER HEIXGES WILL BE LISED IN PARKING LOT AREAL LANDSCAPE CALCULATIONS SITE AREA 37,961 S.F L/S AREA 8,932 S.F PERCENTAGE OF L/S 23% NO RIVER ROCK PERMITTED UNLESS 2/3 OF SACH STONE MCCLINTOCK DRIVE LANDSCAPE NOTES SCREEN SCREEN WALL TYP. PROPOSED FREESTA TEMANT ID SIGN (VARIANCE REGUESTE FIRE HYDRANT R=15'-0" 000 @ PHASE . BLDG. 4 2880 S.F. SINGLE STORY EXISTING <u>88</u> 88 CONTRIBUTION NEMPARCEL 2 COMC. WALK CONVENIENCE. STORE 3136 S.F. SINGLE STORY 28' MAX CONCRETE WALKWAY LANDSCAPE LEGEND PROPERTY LINE - Q33dS CH EXISTING MASONRY WALL
LANDSCAPE PLAN Ş

28:200:48

# ·PROJECT DATA ·

·APPLICATION Third Amended General Plan of Development (University and

McClintock Crossing) with Final Plan of Development for Parcel 2 (Phase 3) – Wienerschnitzel Drive-through Hot Dog Restaurant

with an Outdoor Dining Patio.

•LOCATION 804 South McClintock Drive.

(Southwest corner of McClintock and University Drives)

•SITE AREA 0.87 Acres.

EXISTING Site: PCC-1

**ZONING**North: PCC-1; I-1 across University Drive
South: I-2

East: C-1 & R-2

West: PCC-1; R-3 further west

SURROUNDING Site: Vacant

LAND USES North: 7-Eleven AM/PM Gas Station, McDonald's Restaurant;

APS Solar Power Station across University Drive

South: Boat Dealership

East: High Density Residential and Commercial

West: Vacant; Apartments west of Commercial Center

•LEGAL Sender Associates, Chartered

200 Carell Maill Account Crista 201

398 South Mill Avenue, Suite 301

Tempe, Arizona 85281

Darin A. Sender

(480) 966-6735 (480) 966-8016 fax

darin@senderlaw.com

•PROPERTY OWNER James W. Foster

•ARCHITECT Architekton

REPRESENTATIVE

Doug Brown, AIA, Principal 398 South Mill Avenue, Suite 301

Tempe, Arizona 85281

(480) 894-4637 (480) 894-4638 fax

# ·PROJECT NARRATIVE · WIENERSCHNITZEL HOT DOG RESTAURANT

# I. HISTORY OF BUSINESS

Wienerschnitzel was started with the opening of a single hot dog stand in 1961. Soon after, the first der Wienerschnitzel opened in Wilmington, California. In 1962, a second restaurant was built that featured der Wienerschnitzel's signature red A-frame roof. It was the beginning of a revolutionary design that pioneered the drive-through concept in Southern California. The company has since changed its name to simply "Wienerschnitzel" and grown to over 300 stores in ten states and Guam. Today, Wienerschnitzel is "The World's Largest Hot Dog Chain" and one of the largest privately owned fast-food restaurant chains in the nation.

The franchisee and owner of this business, Mr. James Foster, has worked for the Wienerschnitzel company within its franchise division for many years at its California headquarters. He is therefore very familiar with the many complicated details of setting up and running this type of business. After choosing to move back to Arizona, Mr. Foster selected Tempe as the perfect home for his own Wienerschnitzel restaurant.

# II. PROJECT INTRODUCTION

This application pertains to the proposed development of a Wienerschnitzel franchised drive-through hot dog restaurant with an outdoor dinning patio. Mr. Foster is requesting approval of the Final Plan of Development for Parcel 2 (Phase 3) and a Third Amended Plan of Development for the University and McClintock Crossing Commercial Center located at the southwest corner of McClintock and University Drives, (the "Site"). The four parcel commercial center is currently home to a McDonald's drive-through restaurant and a 7-Eleven AM/PM gas station. One last parcel remains vacant and is available for development.

### III. SITE LAYOUT

This site layout was designed to follow as closely as possible the original site approval. However, the overall lot coverage and the building size have been reduced, and the landscaping increased with an outdoor dining patio added for convenience and smoking purposes. The proposal includes a 2,880 s.f. building, a 600 s.f. outdoor dinning patio, and a single drive-through lane. Adequate ingress and egress to the Site is assured through the two shared driveways along McClintock Drive. Additionally, two shared driveways along University Drive for the entire commercial center will provide increased access to both arterial streets.

Adequate interior site circulation was addressed in the original design of the commercial center through its CC&R's by creating unimpeded access between this Parcel, and the other parcels within this center through a reciprocal cross-access easement. The entire commercial center benefits from generous separation of pedestrian and automobile traffic with integrated

of McClintoo

pedestrian flow using marked walkways incorporated throughout. Parking, refuse and service areas have also been integrated on the Site serving the City of Tempe requirements. Lastly, the Site has been designed to meet many of the City of Tempe's CPTED requirements.

This Final Plan of Development also requests a freestanding tenant identification sign in lieu of the freestanding center identification sign otherwise required in the PCC-1 District. This freestanding tenant identification sign will be designed to complement the 7-Eleven and McDonald's existing freestanding tenant identification signs on University and McClintock Drives. Other signage proposed for this Site will complement the design, areas and size of existing signage within the Center and will be included with the Design Review Board application for this project.

The Site location at a major intersection within a cohesive commercial center, along with the close attention to site and building design, will insure only positive impacts and a catalyst for the future development of the remaining vacant parcel.

# IV. PROPOSED LAND USE

Wienerschnitzel is proposing to develop on Parcel 2 just south of the 7-Eleven AM/PM gas station. The General Plan of Development designates this Site for a drive-through restaurant or retail land use. The current proposed site layout closely parallels the layout of the original approval, both in land use and site plan. This Wienerschnitzel drive-through restaurant will serve many different varieties of hot dogs and polish dogs, among other items, and will also offer breakfast and dessert choices. For breakfast, eggs and breakfast burritos are the main menu items. For dessert, Wienerschnitzel restaurants include a Tastee-Freez ice cream station (for employee service only) for ice cream creations.

Mr. Foster plans on possibly offering twenty-four hour operation in the future to provide an alternate food venue for those working the late night shift and for students working late into the evening, as, for example, those in the ASU College of Architecture and Environmental Design routinely do. The drive-through lane includes an escape lane for vehicles to exit from the rear of the lane. This serves two purposes. First, because Wienerschnitzel frequently delivers orders out to the cars by hand, a customer may obtain their order before the customer in the front car. This way, the second customer having already paid for and obtained their order is able to leave the queue early. Second, a customer already in the queue may for one reason or another not wish to order and require a way out of the line.

The outdoor dining patio also accomplishes two objectives by allowing patrons to dine in the wonderful Arizona Spring, Fall and Winter weather, and by affording certain patrons a place to smoke.

# V. OVERALL DESIGN CONCEPT

Harmony, appropriateness, longevity and ease of maintenance have been the highest priorities in selecting all materials and colors for this project. The overall design of the proposed

Co.

building will be compatible in form, color, materials and style with the existing buildings in the commercial center. The location of the proposed drive-through allows for maximum screening from the public streets, while adding architectural character to the building. Signage and building materials will complement the other designs within the Center without copying their exact forms or color palettes.

# VI. REQUESTED USE PERMITS, VARIANCES AND/OR SPECIFIC DEVELOPMENT REQUESTS

This Final Plan of Development requests the following in addition to the Development site plan approvals:

- 1. Use Permit for an outdoor dining and smoking patio;
- 2. Request for a freestanding tenant identification sign in lieu of freestanding center identification sign; and
- 3. Request for 24-hour operation.

# VII. CONCLUSION

Mr. Foster hereby respectfully requests your consideration and approval of the Final Plan of Development for Parcel 2 (Phase 3) - Wienerschnitzel drive-through hot dog restaurant with an outdoor dinning patio. It is the primary desire of Mr. Foster to provide a safe, clean, functional business and to be a responsible member of the community within the City of Tempe.



A GENERAL PLAN OF DEVELOPMENT (Jefferson Commons Shopping Center)

AN AMENDED GENERAL PLAN OF DEVELOPMENT (University and McClintock Crossing)

FINAL PLANS OF DEVELOPMENT FOR PARCEL 1, PHASE 1 (7-11) AND PARCEL 3, PHASE 2 (McDonalds)

A was A war DEVELOPMENT PROGRAM A was

STANDOOD NO. BY PRINALLE DAYERSHED 2949 IL 44TH ST. SOITE 44SO, PHOSTAL AL 2002/93-4020 94C LINVERSHIT ORINE I MCLIANOCK TIEPER, ARIZONA

90% 482 not 25 William Street 25 William Street 98-0915975 AMERICATA SACREST CONT O AMOUNT, N'US SUSSEEN, AMERICA (MICEO GLORIVETS (MICEON BROCK) OWNER & CONSULTANTS ACCUSAL SDOKEDUS Lement M. Brother Spared A Ringed USE PERMIT AND VARIANCES

RALDING AREA 32.11 S.F. (1936 S.F. + 3120 S.F. + 3120

1 212,632 S.P. (1 4,00 ACRES) 1 212,432 S.P. (1 4,06 ACRES)

SITE AREA (GROSS). 1 SITE AREA (NET). 1 BIR,DING AREA. 3

W * E . S . T . A

MOSCAPE CH SITE: 11(31) S.P. (328)
WASHE FROTD: 40 SPACES (3600 S.F. / TS)
ARCHE PROVIDED: 31 SPACES

TO CONCENSION TO 140 FEE PAR CONTRACTOR OF THE PARCETOR OF THE

WHY waisung states

NECEL 31 - PHASE 2 IF AREA DETA : 30347 S.F. B.TO ACRES

EALDNO COVERAGE: 14 % (3203 SF. / 45033 SF.)
LANDSCAPE ON SITE. 40.101 SP. (570)
PARKING REOD. 11 SPACES (32029 1.350)

passylezet Look supportus. p._braspli_elsechlod



# KENONN AFRAED ※ KENONN EN

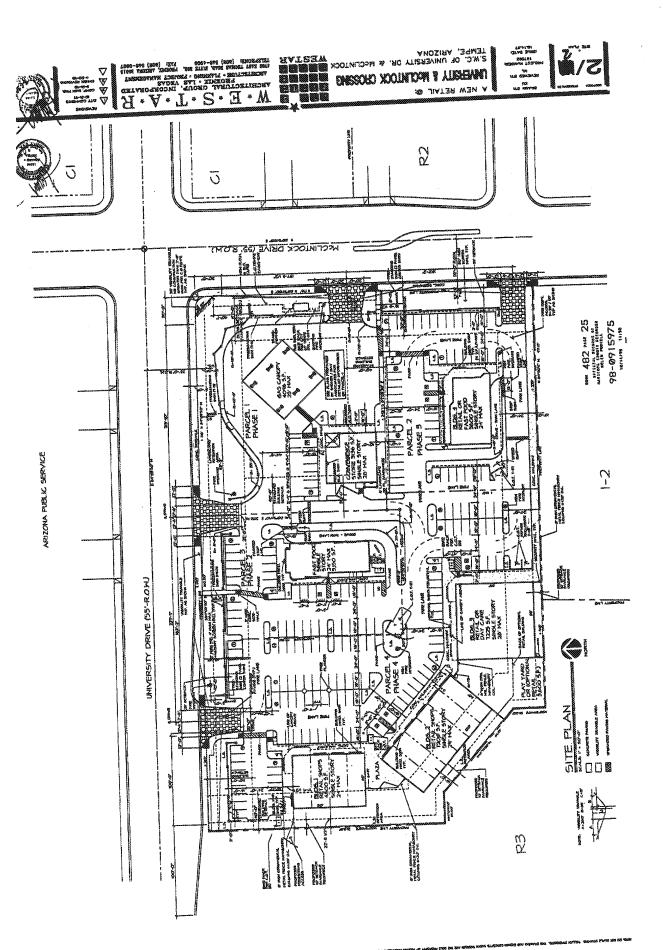
84,348 (1,22,3 5); / 90,290 5); Maia 5); (1988) (3) 59 Aces (3)36 5); / 250)

PACING FROVIDED, 14 SPACES EMILDING CONFRAGE.
LANDSCAPE ON SITE. PARKING REOTO.

PARCELL - PNASE I SITE AREA NETA SOZSO SP. (N.IB ACRES)

BULDING AREA. BULDING. CANOPT.

PIRE PROTECTION



KENDANY AFROND * REPORTED FINAL